

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES  
OF AMERICA

V.

WALTER MAY,  
Defendant,

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CRIMINAL NO. 05-30023-MAP

DEFENDANT'S MOTION FOR DISCOVERY OF EXPERT TESTIMONY

In response to the defendant's discovery letter, the Government has stated that he will not be calling any expert witnesses to be introduced against the defendant at his trial. There have been many discussions with the government about amending the indictment. It is the defendant's belief that this might occur and if it does, expert witnesses will be necessary.

Therefore, The defendant, Walter May, by and through his attorney, and moves this court, pursuant to the Fifth and Sixth Amendments to the United States Constitution, Brady v. Maryland, 373 U.S. 83 (1963), Rule 16 of the Federal Rules of Criminal Procedure and Rule 116.1 of the USDC Local Rules that the Court order the government to furnish to the defendant, prior to trial the following items of discovery:

1. A written list of the names, addresses and qualifications of all experts the government intends to call as witnesses at trial, including, but not limited to law enforcement officers, together with all reports made by such experts or, if reports have not been made, a brief description of the opinion and subject matter to which each is to testify.

2. All documents relating to any administrative complaint against the government's proposed expert witness, including, but not limited to, violations of personnel regulations and violations of internal procedures.

3. All performance evaluations and other similar documents concerning the government's proposed expert witness from all law enforcement agencies from the date of his original appointment as a police officer to the present.

4. All training materials including manuals, handouts, outlines, films which have been used in training the government's proposed expert witnesses.

5. Any scientific journals, books, reports used to form the basis of the expert's opinion.

Respectfully submitted,

THE DEFENDANT

/s/ Alan J. Black

By: ALAN JAY BLACK, His Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to Todd Newhouse, AUSA and Karen Goodwin, AUSA on this on this 16<sup>th</sup> day of January 2007.

/s/ Alan J. Black